

In the United States 11
Circuit Court of Appeals
For the Ninth Circuit.

In the matter of
HENRY E. SHERER,
Bankrupt.

V. W. ERICKSON, as Trustee in Bankruptcy of the
Estate of Henry E. Sherer,
Appellant,

vs.

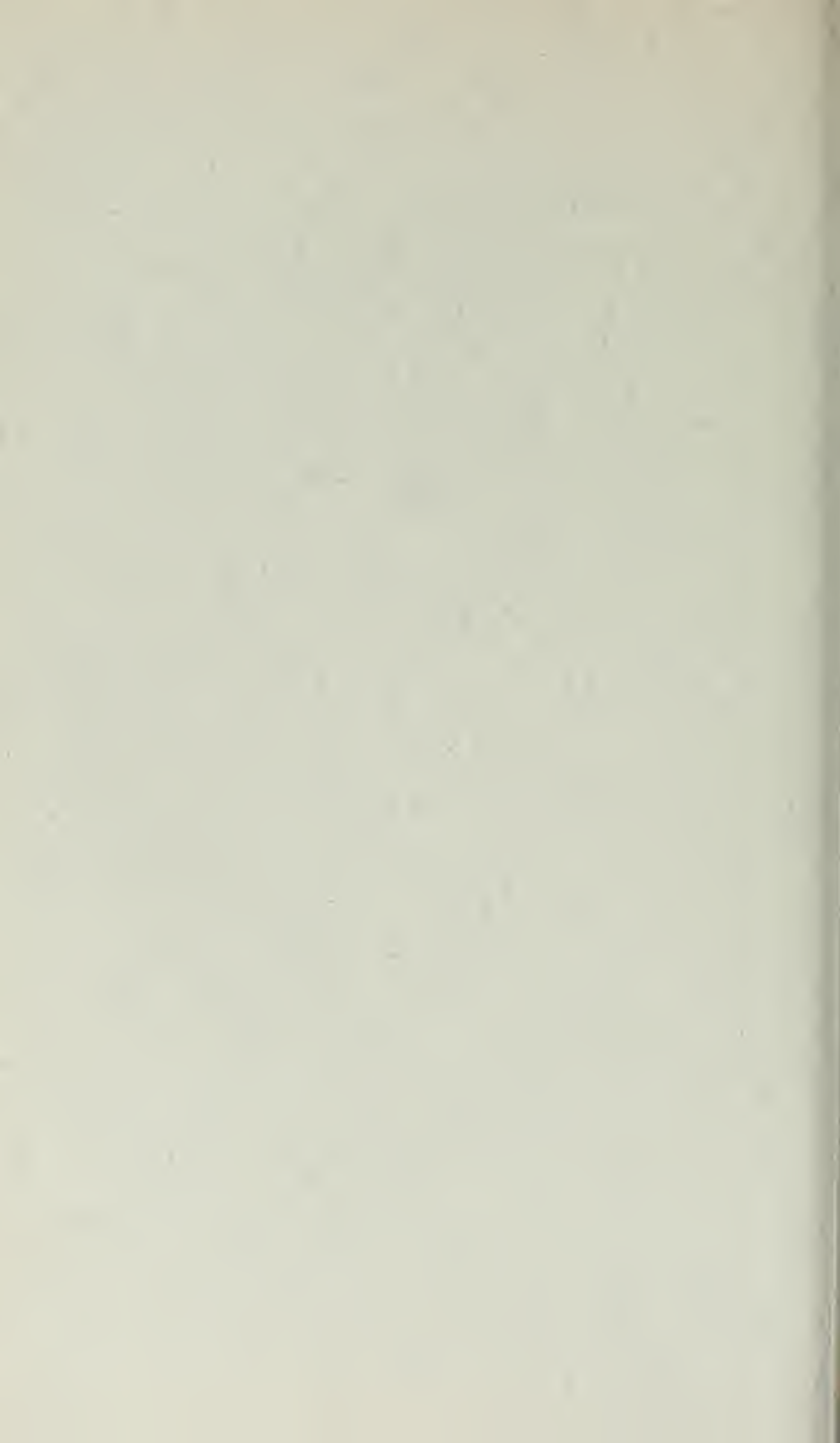
FRIEND W. RICHARDSON, as Superintendent of
Banks of the State of California, and in charge of the
Bank of San Pedro, an insolvent California state bank-
ing corporation,
Appellee.

SUPPLEMENTAL
Transcript of Record.

Upon Appeal from the District Court of the United States for the
Southern District of California, Central Division.

FILED

JUN 12 1935



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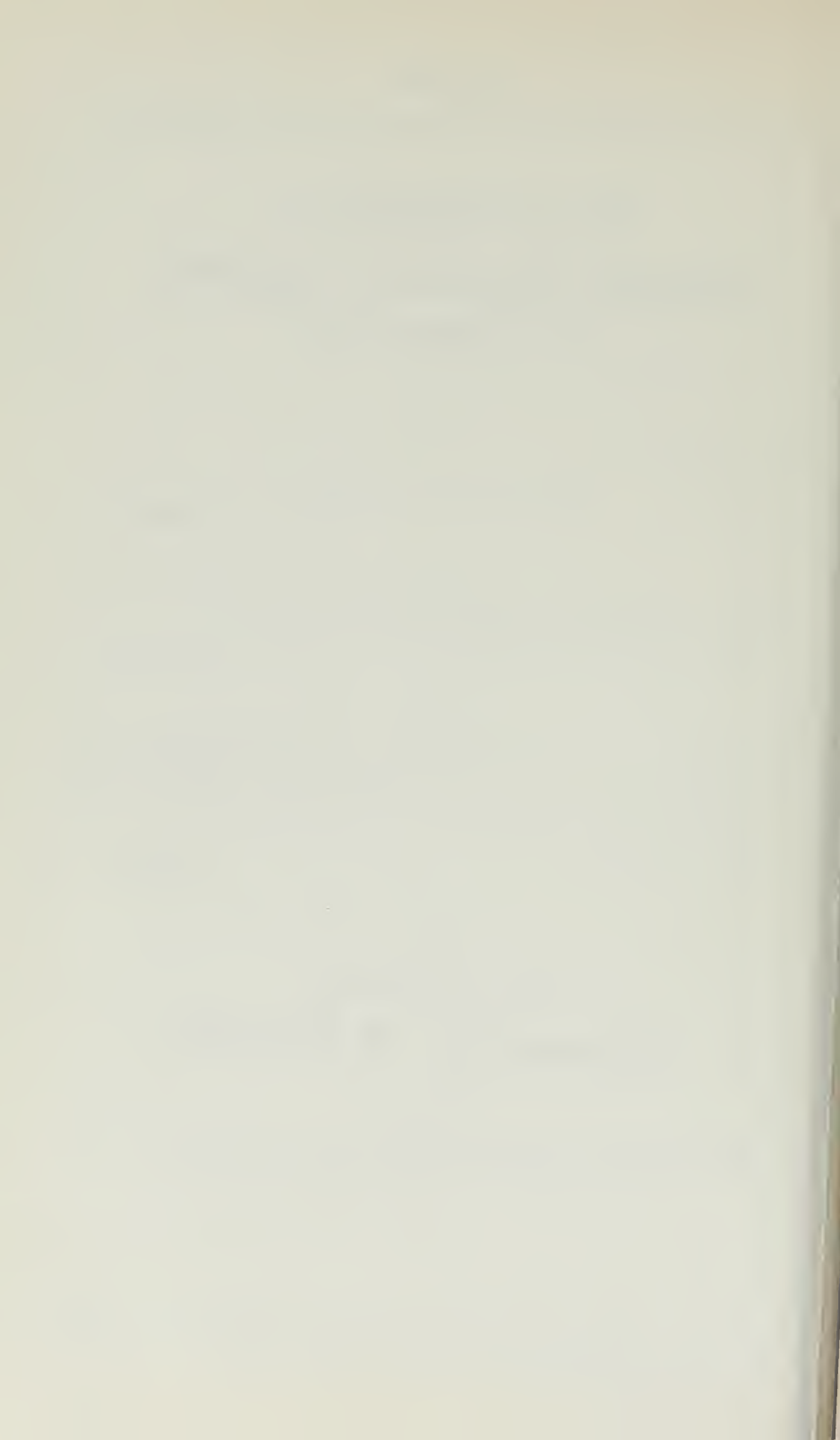
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IN THE DISTRICT COURT OF THE UNITED
STATES SOUTHERN DISTRICT OF CALI-
FORNIA CENTRAL DIVISION

In the Matter of) No. 24,925-H
)
) ORDER
HENRY E. SHERER,) CORRECTING
) ORDER
Bankrupt) HERETOFORE
) RENDERED

Whereas it appears that, in the above entitled proceeding, on May 13, 1935, the above entitled Court made and rendered an order confirming an order of S. W. McNabb, Referee in Bankruptcy, allowing the general claim in the sum of \$260,200.00 filed in said proceeding by Friend W. Richardson, as Superintendent of Banks of the State of California and in charge of the liquidation of the Bank of San Pedro, an insolvent California state banking corporation, and thereupon and on said 13th day of May, 1935, there was entered by the Clerk of the Court in Book No. 94 of the Minutes of the Court at page 422 the following Minute Order:

“At a stated term, to wit: The February Term, A. D. 1935, of the District Court of the United States of America, within and for the Central Division of the

Southern District of California, held at the Court Room thereof, in the City of Los Angeles on Monday, the 13th day of May in the year of our Lord one thousand nine hundred and thirty-five.

“Present :

THE HONORABLE: HARRY A. HOLLZER,
District Judge.

“This matter coming on for hearing on Petition of Trustee to review the order of Samuel W. McNabb, made and entered on the 9th day of May, 1935, overruling the Trustee's Objections to and allowing the claim of Friend W. Richardson, as Superintendent of Banks; Reuben G. Hunt, Esq., appearing for the Trustee.

“R. G. Hunt, Esq., makes a statement of agreement reached by counsel regarding order which may be entered; and it is ordered that in the light of explanation by counsel, the ruling of the Referee is confirmed and an exception may be noted.”

and that thereupon and on said 13th day of May, 1935, there was presented to the Court a formal written order to the same effect as said Minute Order, and that said formal written order was signed by Honorable HARRY A. HOLLZER, a Judge of the above entitled Court, but said written order as so signed was inadvertently dated May 15, 1935, instead of being dated May 13, 1935, the latter date being the date upon which such order was

actually made and rendered, and that such inadvertence in dates should be corrected so that said formal written order may speak the truth,

IT IS HEREBY ORDERED That said formal written order be and the same is hereby corrected and amended so that the date thereof shall read May 13th, 1935, instead of May 15th, 1935, and that this order of correction shall take effect nunc pro tunc as of said 13th day of May, 1935.

Dated this 4 day of June, 1935.

Hollzer

DISTRICT JUDGE

Consent is hereby given to the foregoing order of correction and to the filing by the Clerk of the above entitled Court in the Circuit Court of Appeals for the Ninth Circuit of a supplemental certificate by said Clerk to be incorporated as a part of the Transcript of Record on the appeal to said Circuit Court of Appeals for the Ninth Circuit from said order of the above entitled Court made and rendered on May 13, 1935, which said supplemental certificate shall contain a copy of the foregoing order of correction and this consent in order that said Transcript of Record shall definitely show that the said order confirming the said order of the Referee was made and rendered by the above entitled Court on May 13, 1935, and that it is such order of May 13, 1935, which is intended to be referred to in said Transcript of Record and which

is the only order made by the above entitled Court in said matter and which is the order appealed from in connection with such appeal.

Dated this 4th day of June, 1935.

GRAINGER & HUNT

By Reuben G Hunt

Attorneys for Trustee in Bankruptcy
of the estate of Henry E. Sherer,
Bankrupt.

CLOCK, McWHINNEY & CLOCK

By John G. Clock

Attorneys for Friend W. Richardson,
as Superintendent of Banks of the
State of California and in charge of
the liquidation of the Bank of San
Pedro, an insolvent California state
banking corporation.

[Endorsed]: Filed Jun 5-1935 R. S. Zimmerman,
Clerk, By Edmund L. Smith, Deputy Clerk.

[TITLE OF COURT AND CAUSE.]

CLERK'S CERTIFICATE.

I, R. S. Zimmerman, clerk of the United States District Court for the Southern District of California, do hereby certify the foregoing volume containing 4 pages, numbered from 1 to 4 inclusive, to be the Supplemental Transcript of Record on Appeal in the above entitled cause, as printed by the appellant, and presented to me for comparison and certification, and that the same has been compared and corrected by me and contains a full, true and correct copy of the order correcting order heretofore rendered and stipulation regarding same.

I DO FURTHER CERTIFY that the amount paid for printing the foregoing supplemental record on appeal is \$ _____ and that said amount has been paid the printer by the appellant herein and a receipted bill is herewith enclosed, also that the fees of the Clerk for comparing, correcting and certifying the foregoing Record on Appeal amount to.....and that said amount has been paid me by the appellant herein.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the District Court of the United States of America, in and for the Southern District of California, Central Division, this..... day of June, in the year of Our Lord One Thousand Nine Hundred and Thirty-five and of our Independence the One Hundred and Fifty-ninth.

R. S. ZIMMERMAN,

Clerk of the District Court of the
United States of America, in
and for the Southern District
of California.

By

Deputy.

